

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 06-20676
Hon: Paul D. Borman

HENRY ALLEN RICHARDSON,

Defendant.

/

PROTECTIVE ORDER

Pursuant to Federal Rules of Criminal Procedure, 16(d)(1), and for the reasons previously stated on the record, this Court finds that the government has demonstrated good cause why the un-redacted search warrant affidavit in this case should not be disclosed to the defense.

IT IS HEREBY ORDERED, that the government shall disclose a copy of the search warrant affidavit to defense counsel, subject to the following conditions that both the government and defense counsel must comply with:

1. The government shall provide one copy of the search warrant affidavit to defense attorney Edward C. Wishnow. The affidavit shall be redacted in conformity with the court's ex-parte on the record directive to the government on May 25, 2007.
2. Mr. Wishnow may not reproduce (by photocopy or otherwise) his copy of the Affidavit. Whether inadvertent or otherwise, Mr. Wishnow may not share, discuss, disclose, or otherwise convey the substance of the Affidavit's contents to his client, Henry Allen Richardson, or any other

person. These restrictions do not expire.

3. Disclosure of the affidavit is granted for the limited purpose of allowing Mr. Wishnow to evaluate it in the context of deciding what, if any, challenges to raise to the search warrant in the instant case. In making such a challenge, if Mr. Wishnow wants to make arguments based upon the facts and inferences from the affidavit, such arguments, whether written or oral, must be made under seal.
4. Once litigation in this Court regarding the search warrant is complete, Mr. Wishnow must return the copy of the warrant affidavit to the government. The government must maintain a sealed copy of the affidavit in the event it is necessary for appellate proceedings.

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT
JUDGE

Dated: October 19, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 19, 2007.

S/Denise Goodine
Case Manager